

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JEFFREY LEONARD, IN HIS CAPACITY AS
TRUSTEE OF THE POPLAWSKI 2008
INSURANCE TRUST; PHYLLIS POPLAWSKI;
and PBR PARTNERS, on behalf of themselves
and all others similarly situated

Civil Action No. 18-cv-04994-AKH

Plaintiffs,

vs.

JOHN HANCOCK LIFE INSURANCE
COMPANY OF NEW YORK and JOHN
HANCOCK LIFE INSURANCE COMPANY
(U.S.A.)

Defendants.

YURIY DAVYDOV, on behalf of himself and
others similarly situated,

Civil Action No.: 18-cv-09825-AKH

Plaintiff,

vs.

JOHN HANCOCK LIFE INSURANCE
COMPANY OF NEW YORK and JOHN
HANCOCK LIFE INSURANCE COMPANY
(U.S.A.),

Defendants.

**DECLARATION OF STEVEN G. SKLAVER IN SUPPORT OF REPLY IN SUPPORT
OF PLAINTIFFS' MOTION TO APPOINT SUSMAN GODFREY L.L.P. INTERIM
CLASS COUNSEL PURSUANT TO FED. R. CIV. P.23(g)**

I, Steven G. Sklaver, declare as follows:

1. I submit this declaration in support of Reply In Support Of Plaintiffs' Motion To Appoint Susman Godfrey L.L.P. Interim Class Counsel Pursuant To Fed. R. Civ. P.23(g).

2. I am a partner in the law firm of Susman Godfrey L.L.P., which is counsel for Plaintiffs Jeffrey Leonard, Phyllis Poplawski, and PBR Partners. I have been admitted *pro hac vice* by this Court in this action and am a member of good standing of the California bar. I have personal, first-hand knowledge of the matters set forth herein and, if called to testify as a witness, could and would testify competently thereto.

3. Thus far in this case, the parties have already held their Rule 26(f) conference, exchanged initial disclosures, negotiated and entered into a stipulated protective order, and met and conferred approximately ten times in an attempt to create agreed upon case management schedule, ESI protocol, and discovery procedure.

4. The Susman Godfrey team has engaged in substantial discovery in the case, including by:

- serving a notice of a subpoena on Defendants' auditor, Ernst & Young, and participating in a meet and conferred with counsel for Ernst & Young in the United States and Canada the regarding subpoena and proceeding with discovery;
- serving a notice of subpoena on Defendants' consultant, Milliman, Inc.; and
- serving 34 requests for production on Defendants, to which Defendants have already provided objections and responses totaling 103 pages and begun to produce responsive documents, with an initial wave already produced that defendants agreed would include pricing memoranda, final redetermination memoranda, mortality tables, and COI rate schedules at pricing and redetermination, and a second wave forthcoming next month.

5. Susman Godfrey has hired actuarial consultants and experts to assist with data requests and analysis.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 10th day of December, 2018, at Los Angeles, California.

/s/ Steven Sklaver

Steven Sklaver